

PA13-277

SB0975

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

**VOL.56
PART 30
10111 – 10450**

Are there any announcements or introductions?

Representative Bowles, of the 42nd.

A VOICE:

You're supposed to (inaudible).

DEPUTY SPEAKER RYAN:

Okay. All right.

Hearing no announcements or introductions, will the Clerk please call Calendar Number 673.

THE CLERK:

Mr. Speaker, on Page 31, Calendar Number 673, Favorable Report of the joint standing Committee on Appropriations, Substitute Senate Bill 975, AN ACT CONCERNING REVISIONS TO THE TRANSPORTATION STATUTES AND THE DESIGNATION OF ROADS AND BRIDGES IN HONOR OR IN MEMORY OF PERSONS AND ORGANIZATIONS.

A VOICE:

And there's a Senate "A."

DEPUTY SPEAKER RYAN:

Representative Guerrero, Chairman of the Transportation Committee; sir, you have the floor.

REP. GUERRERA (29th):

Good morning, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Good morning.

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REP. GUERRERA (29th):

I move acceptance of the joint committee's Favorable Report and passage of the bill, as amended by the Senate.

DEPUTY SPEAKER RYAN:

The question is acceptance of the joint committee's Favorable Report and passage of the bill, in concurrence with the Senate.

Representative Guerrero, you have the floor.

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

The Clerk has an amendment, LCO 8520, designated Senate Amendment Schedule "A." Would the Clerk please call and I be allowed to summarize.

DEPUTY SPEAKER RYAN:

Would the Clerk please call LCO 8520, which will be designated Senate Amendment Schedule "A."

THE CLERK:

Mr. Speaker, Senate Amendment "A," LCO 8520, as introduced by Senator Maynard, et al.

DEPUTY SPEAKER RYAN:

The Representative seeks leave of the Chamber for summarization. Is there objection? Is there objection to summarization?

Hearing none, Representative Guerrero, you may summarize the amendment.

REP. GUERRERA (29th):

Thank you, Mr. Speaker.

Senate "A" is a strike-all amendment and becomes the bill. Senate Bill 975 is our annual omnibus DOT bill, the Department of Transportation. The bill represents the department's ongoing efforts to streamline and create efficiencies within the department and also has numerous road-namings within the, within the bill here, with many members of this Chamber here.

Mr. Speaker, I -- I just want to say that I want to thank many people on the Transportation Committee for all their efforts this year in regard to this, my Ranking Member, David Scribner, who obviously works hand-in-hand with me on this, and my Vice-chair, Steve Mikutel, and all of the members of the Transportation Committee, along with the Department of Transportation, Pam Sucato, that worked hand-in-hand with all of us to get this bill going.

As many of you know, this does streamline the Department of Transportation, but it does update and simplify the process in regard to some of the other

issues, such as state property that the department acquired for various transportation projects.

It also allows the DOT to enter into agreements with the State of Vermont to facilitate operations in the development of the New Haven-Springfield rail line, establishing a film permit system to streamline the process to grant permission to film companies that may wish to film on the Department of Transportation's property, and it amends the definition of highway to include roadways dedicated for the bus rapid transit and restrict access to such roadways for safety purposes.

So, with that, I ask that we move for adoption.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

The question before the Chamber is adoption of Senate Amendment Schedule A.

Will you remark further? Will you remark on the amendment? Will you remark on the amendment?

Representatives Scribner, of the 107th

REP. SCRIBNER (107th):

Thank you, Mr. Speaker. Good morning.

DEPUTY SPEAKER RYAN:

Morning.

REP. SCRIBNER (107th):

I rise in support of the amendment, which will become the bill. As many of you know, each year the Transportation Committee produces a large Department of Transportation bill; this is it.

As the good Chairman pointed out, this bill is really a cooperative effort and begins at the beginning of the session. Most of everything that is in the bill, which contains 89 sections, are things that have gone through a public hearing process, a very thorough deliberation of each of the leaders of the Transportation Committee.

And I'd like to take the opportunity to thank Chairman Guerrero, in particular. It's been my privilege and honor to serve with him on the Transportation Committee, as a fellow leader, along with Vice-chairman Mikutel and Senators Maynard and Boucher.

There are a lot of complexities in the bill that is before us, but I guess we can have some reassurance that these are things in large part that have come to us from the department, and it helps to enable them to implement a lot of the programs that we have oversight for throughout the state. And that certainly includes

our highway infrastructure, our bridges, our rail system, our airports, and our ports.

And as we have a number of different sources of revenue that help to produce improvements to -- to those projects and the implementation of some new ones, there's a -- a lot of intricacies that go into the planning and the engineering that has, is overseen by the Commissioner of DOT.

And one of the things that this bill does is to allow for the Commissioner to delegate authority to bureau chiefs throughout the department. We view that as an efficiency that will allow them to expedite oversight of projects that are going on throughout the state without the direct involvement of the Commissioner.

One of the things that I think we can feel good about too is that the, there's a simplification of a permitting process that allows DOT -- DOT to expeditiously grant permission to film companies who want to film on DOT property, and as we've all experienced in recent years, that's been a strong initiative that has produced a great benefit and value to the State of Connecticut.

Another item that is in here has to do with the

distracted driving, which clarifies that -- that there are some exceptions added there, which also is consistent with federal law, that allows for the use of ham operators that would otherwise fall under the hand-held device category.

There's reference to an expansion of outdoor advertising, which will include an increase in fees but one that hasn't happened in many years, and it's appropriate at this point in time that that do occur. It's a very strong and significant source of revenue for the State of Connecticut along our highways and along the Metro-North rail corridor.

It also identifies the need to change the frequency of static display on digital billboards from six seconds to eight seconds, which is consistent with the Federal Highway Administration.

There's another technical implementation in here which has to do with the design and build construction-manager-at-risk that allows for project-delivery methods on rail and transit projects, as well as highway and bridge projects throughout the state.

One of the things that we see in this bill, also which kind of piggybacks on the recently enacted, distracted-driving improvements to our laws will add a

question to anyone obtaining a driver's license that will have to do with distracted driving. That's consistent with federal law and it enables us to fully benefit from certain levels of funding that come to us from the federal government.

There's also a requirement that DOT develop a rail modernization plan, which the department is coordinating in conjunction with their long-term strategic planning process and that will report back to the Transportation Committee upon completion.

As Chairman Guerrero pointed out, there are a number of honorary bridge and highway namings throughout the state. And those each came through the department in an application process and submission by a Legislator, which also had a public hearing, enabling an opportunity for people to either support or oppose the request for those namings.

This bill also, in my view, importantly addresses the protection of the Special Transportation Fund, which we have frequently seen used for other purposes in the state. But all of the revenue that goes into the Special Transportation Fund is -- is specifically designed to require it under a statutory basis to go into that fund to be used for transportation

improvements and purposes. This language will help to ensure that that legislative intent be honored.

Again, I would like to thank each of the 34 members of the Transportation Committee for your involvement, your commitment, your dedication, and your cooperation, engaging in a lot of discussions throughout the Session, your participation in committee meetings as well as public hearings, which is vital for us to come up with a very complex and lengthy bill like this and feel very confident that it is what is best for the State of Connecticut.

As former-State Senator and Chairman Billy Ciotto used to say, there is no politics in transportation because the roads and bridges and rails are used by all people in the State of Connecticut, and that's who we're here to represent. And I can say that we proudly honor that spirit throughout the session. It isn't about politics; it's about working with each other respectfully, civilly, and productively to do what's best for the people of Connecticut.

Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, sir.

Will you remark further on the amendment?

Representative Lavielle -- excuse me -- of 143rd;
ma'am, you have the floor.

REP. LAVIELLE (143rd):

Mr. Speaker, good morning -- afternoon.

DEPUTY SPEAKER RYAN:

Good afternoon, ma'am.

REP. LAVIELLE (143rd):

Good afternoon, Mr. Speaker.

This is, this is a very large bill which reflects a great deal of work in many areas. I only want to mention two. They are of enormous importance to me and to my district, and I spent a lot of time early in this session worked together with the members of the Transportation Committee, of which I am a former member on -- on these two points. And I am very proud of the work they did to get these two provisions into the bill.

One of them is the requirement that the resources of the Special Transportation Fund be used only for transportation purposes. When we look at the infrastructure needs of Connecticut and how far behind we are, behind not only the rest of the country but really the rest of the world and how heavily used our commuter rail is, 39 million passenger rides a year,

and how desperately we are in need of these infrastructure improvements, it's critical that the revenues that we get from fares and from the Gross Receipts Tax and other sources be used only for transportation. So I appreciate that, and that for reference, is in Lines 1716 to 1717.

The other section I would just like to highlight is the commuter rail initiative, the plan that the Commissioner is to prepare for the upgrading of the Metro-North Commuter Rail System, including electrification of the branch lines by 2023 and for the expansion of commuter parking.

I live in Fairfield County. Many, many of our residents use the commuter rail line every day or would if it worked better and if it were faster and more convenient, and electrification will help make that happen. Some of the people only use part of the line and they would use the rest, and this is reflective of the philosophy that if you make investments where usage is high and where there is a virtual guarantee of immediate return on the investment through revenues, your money will go much farther than if you simply begin spending on investments that are more speculative. That's the

section that's Lines 760 to 770.

I'm very grateful for the work that the Transportation Committee did in both of those areas, and I particularly just want -- it may be presumptuous to thank people if I'm not on the committee -- but I do want to say that Representative Guerrero and Representative Scribner were enormously attentive and helpful and have done wonderful work and have led their committee well.

And I know that my constituents in the 143rd, in Wilton, Norwalk, and Westport are very appreciative of their efforts. And I look forward to working together with them to make this go farther.

Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative Betts, of the 143rd [sic] District; sir, you have the floor.

REP. BETTS (78th):

Good morning, sir.

DEPUTY SPEAKER RYAN:

Good afternoon, sir.

REP. BETTS (78th):

Or good afternoon; pardon me.

A couple of questions, if I could, through you to the good Chairman of Transportation.

DEPUTY SPEAKER RYAN:

Representative Guerrero, will you prepare yourself.

Representative Betts, you may proceed.

REP. BETTS (78th):

Yes, and in reference to the Hartford-New Britain Busway -- I'm looking at Section 8 -- and just for legislative intent, I just would like to make sure it's clear in everybody's mind. On Lines 237 and 238, it makes reference to this busway route as a dedicated roadway for bus rapid transit services. So I -- I take that to mean that it is literally restricted roadway and not a public highway that would allow other vehicles to -- to use that route. Am I correct in the, in the reading of that?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Guerrero.

REP. GUERRERA (29th):

Through you, Mr. Speaker, yes.

DEPUTY SPEAKER RYAN:

Representative Betts.

REP. BETTS (78th):

I also read -- thank you for that answer -- I also read that there's a possibility that some agricultural trucks may have access to be able to use that roadway, which makes sense. Is that true?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Guerrero.

REP. GUERRERA (29th):

Through you, Mr. Speaker.

Not to my knowledge.

DEPUTY SPEAKER RYAN:

Representative Betts.

REP. BETTS (78th):

Okay; I was looking at the OLR report. Maybe I'm mistaken with that; okay.

But I would also like to just confirm what the Transportation Committee has been doing in regards to the Hartford-New Britain Busway, and I want to thank the Chairman and the Ranking Member for this. But it's my understanding that DOT will be issuing a report or making a report sometime in the near future, providing the Transportation Committee an update in terms of its progress, its cost, and the opening of

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the, of the New Britain-Hartford Busway. Is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Guerrero.

REP. GUERRERA (29th):

Through you, Mr. Speaker.

That is correct.

REP. BETTS (78th):

Okay. I thank you --

DEPUTY SPEAKER RYAN:

Representative Betts.

REP. BETTS (78th):

I thank you, very much, for those answers.

This is my first year on the Transportation Committee. It has certainly been a pleasure, and I've learned a great deal. And I'm very impressed with the work of the committee and how responsive DOT has been. And I rise to -- to support this bill.

And I thank you, very much, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Will you remark further on the amendment before us? Will you remark further on the amendment before

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us?

If not, I will try your minds. All those in favor, signify by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER RYAN:

Opposed, Nay.

The Ayes have it. The amendment is passed, in concurrence with the Senate.

Will you remark further on the bill as amended?

Will you remark further on the bill as amended?

Representatives Scribner.

REP. SCRIBNER (107th):

Thank you, Mr. Speaker.

Now that the amendment has passed and become the bill, I -- I did want to take the opportunity to thank the department for their cooperation, their responsiveness, and their provision of extraordinary amounts of information that has really been beneficial to those of us on the Transportation Committee throughout this session and their interest to continue to create efficiencies and improve their service to the people of Connecticut.

In particular, I'd like to thank the

Commissioner, Jim Redeker and also our legislative program manager, Pam Sucato, who works with most of our Legislators throughout the year in providing information and service that's passed on to their constituents. She does an extraordinary job, very knowledgeable and very helpful to the process.

Thank you.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Will you remark further on the bill as amended?

Will you remark further on the bill as amended?

If not, will staff and guests please come to the Well of the House. Will the members please take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will members please return to the Chamber immediately.

DEPUTY SPEAKER RYAN:

Have all members voted? Have all members voted? Will the members please check the board to see if their vote is properly cast?

If all members have voted, the machine will be locked. The machine will be locked.

And the Clerk will take the tally.

THE CLERK:

One-thirty-eight, zero, twelve.

DEPUTY SPEAKER RYAN:

Will the Clerk please announce the tally.

THE CLERK:

Yes, Mr. Speaker.

In concurrence with the -- the Senate, Substitute
Senate Bill 975, as amended by House "A."

Total Number Voting	138
Necessary for Passage	70
Voting Yea	138
Nay	0
Not voting	12

DEPUTY SPEAKER RYAN:

The bill passes, in concurrence with the Senate.

Are there any announcements or introductions?

Hearing none, will the Clerk please call Calendar
Number 689.

THE CLERK:

On Page 33, Calendar Number 689, Favorable Report
of the joint standing committee on Finance, Revenue
and Bonding, Substitute Senate Bill 842, AN ACT
AUTHORIZING AND ADJUSTING BONDS OF THE STATE OF

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President, before we call those items.

THE CHAIR:

The Senate will stand at ease.

(Chamber at ease.)

(Senator Duff in the Chair.)

SENATOR LOONEY:

Madam President -- Mr. President.

THE CHAIR:

Yes, sir.

SENATOR LOONEY:

Mr. President, yes, good evening, Mr. President.

Mr. President, if the Clerk would call Calendar page 31, Calendar 268, Senate Bill 975 as the next item.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Page 31, Calendar 268, Substitute for Senate Bill 975,
AN ACT CONCERNING REVISIONS TO THE TRANSPORTATION
STATUTES AND THE DESIGNATION OF ROADS AND BRIDGES IN
HONOR OR IN MEMORY OF PERSONS AND ORGANIZATIONS,
Favorable Report of the Committee on Transportation.
We have amendments.

THE CHAIR:

Senator Maynard.

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SENATOR MAYNARD:

Yes, thank you, Mr. President. Senate Bill 975 is our annual comprehensive transportation bill. I'll briefly summarize and happy to answer questions.

THE CHAIR:

Can you move the bill, please?

SENATOR MAYNARD:

Yes, I move the Committee -- the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

On acceptance and passage, will you remark, sir?

SENATOR MAYNARD:

Yes, thank you.

The bill represents the department's efforts to streamline and create efficiencies within the department that ultimately facilitate the implementation.

THE CHAIR:

Excuse me, Senator.

Will the Senate come to order, please.

Senator Maynard.

SENATOR MAYNARD:

Thank you, Mr. President. My apologies. I had a little procedural error. I do have an amendment to call. It is a strike-all that dealt with a problem we had earlier in the evening that was the reason for the passed temporarily. It's -- I think the Clerk has

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the number. It's LCO Number 8520.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 8520, Senate "A." It's offered by Senator Maynard, Boucher, et al.

THE CHAIR:

Senator Maynard.

SENATOR MAYNARD:

Thank you, Mr. President.

I would like to move the amendment and ask for a voice vote.

THE CHAIR:

On adoption, will you remark, sir.

SENATOR MAYNARD:

Yes, and I'll return to my summary. The -- the bill will help the department streamline and does a number of things. It updates and simplifies the process for selling excess state property. It allows the department to enter into agreements with the State of Vermont to facilitate operation of the New Haven-Springfield -- Hartford-Springfield rail line.

It establishes a film permit system to streamline the process to grant permission to film companies. It allows licensed Connecticut marine pilots to self-certify their vessels in lieu of a state-regulated program through their insurance policies. And it amends the definition of "highway" to include roadway dedication for bus rapid transit and restrict access to such highways for safety

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purposes.

The bill also includes three minor revisions, which together make Connecticut eligible to access new federal distracted-driving prevention funds. There are several sections related to outdoor advertising, including one in particular that will allow the department to continue to advertise on transportation corridors and rights of way. In addition, it deals extensively with the Connecticut Airport Authority, which we established in the last session, and helps complete that process.

It contains provisions that would -- excuse me -- a little bit of editing -- it gives the Airport Authority the same flexibility control construction at airports as currently held by DOT. And it transfers and changes the responsibility of pilot payments to municipalities from DOT to the Airport Authority.

I'm happy to just touch on a couple highlights as mentioned. There's -- oh, I'm sorry -- and then there's an extensive section of the bill for highway naming. We were able to accommodate a number of requests of members designating bridges and highways.

It deals with some adjustments to our special transportation fund requiring that the fund be used for transportation purposes only. Tax -- it requires the DOT to hold taxi hearings and it makes a number of adjustments to taxi advertising laws and penalties. And that is about the essence of the bill.

I would like to say I'm happy to take specific questions, but it is, as I said, comprehensive.

I'd like to thank my Senate ranking member, Senator Boucher, and of course, my cochair, Representative Guerrera and our ranking member in the House, Senator Scribner, for their diligence and hard work and allow my ranking member to make any remarks she would like.

THE CHAIR:

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Thank you, Senator.

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President, this truly may a unique opportunity where our chairman is on a roll and did a lightening round that I am so impressed with that -- and in keeping with that -- that tone, I think I'll do the same.

I also want to thank him and the cochair and our ranking members for their remarkably bipartisan manner in which they conducted the committee. They entertained almost every bill that came through to them, giving every colleague an opportunity to come and be heard at a public hearing. And then, afterwards, distilled it all into a bill that has over 77 sections of which the wonderful chair of the committee so expertly outlined in rapid fashion.

And my kudos to him and also great thanks for considering the needs of our rail commuters in this bill, as well as for the desire to keep transportation funds for transportation purposes. It's a great bill. It encompasses everything and it should be supported tonight. And with that, we're going to make it very brief.

THE CHAIR:

Thank you, Senator.

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Senator Kissel.

I rise to thank Senator Maynard, Senator Boucher and the other members of the Transportation Committee for addressing a concern that I had. It's wonderful in

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its totality, but specifically, in Section 59 Subsection (c), that provision makes it explicitly clear that the amount of funding provided to the Towns of Windsor Locks, Suffield, East Granby and Windsor associated with payments in lieu of taxes and other funds because of land associated with Bradley International Airport shall remain the same for fiscal year ending June 30, 2014, as the amount of money given to them for June 30, 2013, notwithstanding the provisions of Subsection (a) prior thereto.

I's also would like to specifically thank our staff attorney, Jenn Macierowski, Democrat's attorney Joe Quinn, my legislative aide Kate MacAvoy, but very specifically and -- and -- and very much from my heart, Senator Maynard, I really very much appreciate the -- addressing the concerns of the people of north central Connecticut. I strongly support the bill.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

I'll try your minds.

All those in favor, please signify by say aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nay?

The ayes have it.

Senate "A" is adopted.

Will you remark further on the bill?

Senator Maynard.

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SENATOR MAYNARD:

Just a final remark, Mr. President. I wanted to also thank certainly the department, Commissioner Redeker, who has been extremely accommodating in a variety of conversations that we've had over a significant parts of this bill and also certainly Pam Sucato who is our tireless and long-suffering liaison to DOT for all her great work. So thank you very much.

THE CHAIR:

Thank you, Senator.

Senator Boucher.

SENATOR BOUCHER:

Yes, thank you, Mr. President.

I support every single thing that our Chairman Maynard has just said, and a shout out to all of the wonderful staff and the long suffering Pam Sucato who does a superb job. Thank you.

THE CHAIR:

We all agree about Pam Sucato.

Thank you, Senator.

Mr. Clerk, please announce pendency for a roll call vote. The machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Senators please return to the Chamber. Immediate roll call has been ordered in the Senate.

THE CHAIR:

Have all members voted? If all members have voted,

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please check the board to make sure your vote was accurately recorded. If all members have voted, the machine will be closed and the Clerk will announce the tally.

THE CLERK:

Senate Bill 975, as amended,

Total Number Voting	34
Necessary for Adoption	18
Those Voting Yea	34
Those Voting Nay	0
Those Absent and Not Voting	2

THE CHAIR:

The bill passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, I move for immediate transmittal of Calendar page 31, Calendar 268, Senate Bill 975, to the House of Representatives.

THE CHAIR:

Without objection, so ordered.

Mr. Clerk.

Senator Looney.

SENATOR LOONEY:

Yes, Mr. President, if the Clerk would call as the item -- if we might stand -- stand at ease for just a moment, Mr. President.

THE CHAIR:

**JOINT
STANDING
COMMITTEE
HEARINGS**

**TRANSPORTATION
PART 6
1641 - 1952**

2013

Obviously members are making their way to and from other hearings and also literally to the Capitol and the bad weather so apologies for the light attendance at the moment.

Welcome, Commissioner. Welcome, Mr. Dillon.

COMMISSIONER JAMES P. REDEKER: Good morning. I can't apologize for the weather but we're doing our best to keep up with the two inches an hour on Route 2. So I'm glad to be here. You know thank you for the opportunity this morning to comment a bit on our transportation bill and also on the Governor's Bill. So I'll just make a couple brief comments and then open up for any questions.

SB 849

With me is Kevin Dillon in case there are questions about the couple items that relate to the Connecticut Airport Authority. In our bill I think I've -- the piece that I'd like to bring and highlight for your attention is that there are two sections, section 11 and 23 of the bill that contain some minor revisions which together will make Connecticut eligible to receive new federal distracted driving funds. That's a high priority for us, for our employees, for other workers and for drivers in the State of Connecticut.

SB 975

The new program created by the National Highway Traffic Administration has federal funding for the prevention of distracted driving. About \$17 million is -- will be made available for 2013. Connecticut could receive between 350 and \$500,000 of that annually to assist in our distracted driving campaigns. And that's important for all of us.

To receive that there are three basic changes necessary to Connecticut's legislative

requirements. One, we do not -- we're not compliant because our legislation does not mandate that questions pertaining to distracted driving and motorists' mobile phone use be required on driver licensing exams.

We've spoken with Commissioner Curry about that and we have I think an agreement on how we might include that. Second, Connecticut legislation pertaining to handheld phone violations requires the vehicle be in motion. And we need to change that so even if it's at rest and you're at a stop light that would be a violation. And then the -- there's an emergency exemption for emergency services and military personnel but we have an exception to that for handheld phone and for ham operators. And that would need to change. Those three minor revisions would put us in a position to be eligible for the distracted driving funds and we recommend that.

I would like to briefly also mention the other program -- two programs and the Governor's Bill that are important to the Department and to municipalities and that is a local transportation capital program and a local bridge program. The legislation's proposed would help Connecticut DOT administer a local transportation capital grant for local governments, \$45 million would be made available to provide direct grants to municipalities for local transportation programs formally paid for with federal funds passed through the Department.

SB 849

This direct pass through would simplify the process for the towns, remove federal -- some federal requirements, reporting requirements, thankfully relieve the DOT of a lot of the oversight for those requirements and simplify the implementation and we think facilitate much

more rapid implementation of transportation improvement programs. And then on the local bridge side important because there are at least 256 bridges on the local side that are in poor condition and need help immediately.

This would be a -- a \$15 million additional program for local bridges and along with the additional money would be more flexibility in the way the program is administered and more funding made available for reimbursement to towns to get the projects done. And we support both of those and encourage their adoption. With that I'll open for questions.

SENATOR MAYNARD: Yes, Representative Sawyer.

REP. SAWYER: Good morning and I appreciate all the effort out in the Bolton area with 17 inches of snow this morning. It's great to follow in some plows.

I would like to ask a question for clarification you know I think of distracted driving as being a DMV issue. Why would distracted driving be a DOT issue and what do you do with the funds?

SB 975

COMMISSIONER JAMES P. REDEKER: So the Department's responsible for essentially the relationship with -- with our highway safety partners. We receive the funds. We actually do all the reporting on accident data for all the State. So we collect data or we report data and we receive data. The actual you know some regulations around it might be DMV.

Testing is clearly important here. The -- in the end the enforcement is State police but the funds come into the DOT for programs that are both physical programs, safety programs on highways as well as for the softer side if you

will, the communications and marketing and sort of advocacy programs to help people you know drive safely, not text while their driving or use cell phones. Those programs are actively done through the Department because we have that safety program in our mission.

REP. SAWYER: So we have the Connecticut State police and they get funding for super traffic stop periods of time.

COMMISSIONER JAMES P. REDEKER: Right.

REP. SAWYER: Do you transfer funds to them to do that?

COMMISSIONER JAMES P. REDEKER: Yes we do.

REP. SAWYER: So it's federal money coming into you. You're the conduit to send it out to --

COMMISSIONER JAMES P. REDEKER: That's correct.

REP. SAWYER: -- DMV, Department of Public Safety.

COMMISSIONER JAMES P. REDEKER: Typically, most of the funds are used for enforcement so State police is probably one of the larger expenditures where we have you know a dedicated stop program whether that's for distracted driving or whether that's for you know drunk driving. There's lots of programs like that that are federally funded that enable us to get additional resources from the State police onboard to help enforce regulations.

And then another push of that money goes into -
- you'll see billboards and advertising and you know television spots as well as general public communication you know advocacy programs to try to communicate you know safety awareness. That can be on work zones. That could be distracted

driving, et cetera. But the funds are designated to come through the DOT.

REP. SAWYER: To apply for these funds do you have to get approval from OPM?

COMMISSIONER JAMES P. REDEKER: No. This is -- it's actually a lot of the funds come because they're formula funds. Many of them are formula funds. Some are grants that we apply for, specialty grants. But we don't need approval to do that other than making sure that we have the budgetary resources for any match if required. Not all of them have match requirements.

REP. SAWYER: That was the next question was going to be matching.

COMMISSIONER JAMES P. REDEKER: Some are some are not.

REP. SAWYER: Does this fall under special transportation fund or does this fund -- under general fund.

COMMISSIONER JAMES P. REDEKER: This would be special transportation fund.

REP. SAWYER: So when the State police do their reports regarding traffic accident rates and stuff like that, that goes to you?

COMMISSIONER JAMES P. REDEKER: That's correct. And that's a -- that's a huge part -- well not huge but a rather significant responsibility of our planning unit where the safety unit is. A to be -- to be announced new initiative is a partnership between the DOT and UConn to completely automate the process from -- essentially from the seat of the vehicle in the State police car or the municipality.

So creating a uniform system because today it's not, getting it a buy, and getting those systems in place and then UConn would be the collector and assist us in managing and manipulating that database for reporting which should be a significant benefit to the State DOT from a resource -- employee resource point of view as well as timeliness. We're -- you know it takes a long time to enter this data because we get it in -- it comes in a manual form, has to be manually entered and then checked.

This would completely automate that process and do some automated checking. So we're about to announce that as a new initiative that we're paying UConn to do and they are a great partner in that.

REP. SAWYER: We never heard a thing. You just go right ahead and announce it.

COMMISSIONER JAMES P. REDEKER: Thank you. No. It's underway so it's okay. Actually it's been delayed for at least two snow storms.

REP. SAWYER: Representative Buck-Taylor will be glad to hear that. So I'm very familiar with the reporting issues having dealt with the Route 6 issue for so long and the -- the -- for manual to try and get it into other forms has been huge. And in 2013 I'm thrilled to hear that we're actually going to do this. I'm interested that it's UConn doing it and so we'll talk off record about that. Thank you very much.

COMMISSIONER JAMES P. REDEKER: Sure thing.

SENATOR MAYNARD: Anything else at all, Representative Sawyer. No, I'm just teasing.

SENATOR MAYNARD: Thank you, Representative O'Brien.

Yes. I've heard only enthusiastic response to this so we're delighted. I know municipal leaders have been much more enthusiastic. Since we have the pleasure of Mr. Dillon here I'd like to ask, how are things at the airport?

SB975

KEVIN DILLON: Very good. We're making a lot of progress on the transfer. We're hoping that within the next 30 days we'll be able to establish a closing date. We have gone through the process of offering employment to all of the employees and I'm pleased to say all but nine have elected to take the opportunity. So hopefully within the next month we'll have it transferred over.

COMMISSIONER JAMES P. REDEKER: I'm hoping that the nine who -- you know who are staying with me versus the hundreds and some that want to go to Kevin is not a reflection of liking Kevin more than me.

SENATOR MAYNARD: How could that possibly be?

Also, any -- any early indicators -- I know we saw the GAs have had a tower funding issue. Anything happening with respect to sequester with you that you're aware of or bracing for that we should know about?

KEVIN DILLON: Well certainly the biggest impact is the potential closer of the GA towers. That would impact Groton, New London, Hartford, Brainard and Waterbury, Oxford. We do intend to file an appeal to the federal government. We have until the 13 to make that case. We do believe we have a good case to make and we'll be presenting that. However I think it's important to note that even if this drop in

tower coverage stays in place the airports will remain open. The impact of that is traffic throughout the entire system not only at those three airports but the entire system will be slowed from a flow control.

As it relates to the other federal agencies that we rely on, the transportation and security administration is expecting to furlough employees. It remains to be seen what the real impact of that is. We are working with the federal Security Director trying to convince him to shift other assets into the core screening function so that we don't experience the lines that are being talked about.

SENATOR MAYNARD: Any other questions for either the Commissioner or Mr. Dillon.

Seeing none we'll let you get back and keep the airport running well. Thank you.

Is COMMISSIONER MELODY A. CURREY here yet? I believe she has a press conference. Okay. Not yet. Carl Guzzardi from DOL for Commissioner Palmer. Welcome.

CARL GUZZARDI: Good morning. I think it's still good morning. Appreciate the opportunity to speak today on Bill 6560 on behalf of Commissioner Palmer who sends her apologies that she couldn't be here in person today to testify on the bill. She's asked that I say a few words on -- make some comments on the bill and then obviously open it up to questions you may have. This bill seeks to exempt certain drivers of vehicles over 10,000 pounds from unemployment insurance coverage.

The bill currently contains a provision that allows an operator to enter into a lease

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law/gbr TRANSPORTATION COMMITTEE

March 8, 2013
10:00 A.M.

CARL GUZZARDI: Thank you.

SENATOR MAYNARD: Thank you. Anything further?

Seeing nothing, thank you very much.

CARL GUZZARDI: Thank you.

SENATOR MAYNARD: And I see we've been joined by
COMMISSIONER MELODY A. CURREY. Welcome,
Commissioner.

COMMISSIONER MELODY A. CURREY: Pleasure to be here
today. Thank you. Just left the -- the press
conference on the Red Sox plate for those of
you --

HB6558
HB6495
SB 975

SENATOR MAYNARD: Half of the State of Connecticut
is happy.

COMMISSIONER MELODY A. CURREY: Is happy. I imagine
we'll hear from the other half this week.

I'm here to testify on a number of bills before
you. I'd like to begin out -- begin with 6377,
AN ACT CONCERNING ARREST POWERS OF MOTOR
VEHICLE INSPECTORS. I won't read the testimony
to you but simply to say that we believe it
would be an enhancement to the job they do and
a necessity to the job they do. These
inspectors stop trucks on the highway on an
ongoing basis.

They are put in the same risk as I would say a
DEEP officer is in relation to the job they do.
They should have complete police powers. They
are post certified. They carry guns. Anyone
looking at them -- and I actually I did bring
Lieutenant Bridge in full uniform to show you.
They look like police officers. And my concern
is that --

to be able to go and see their probation officer because a number of people are on probation. So we're adding that. So that covers our -- our largest bill before you.

And Senate Bill 975, AN ACT FOR REVISIONS TO THE TRANSPORTATION STATUTES. We had discussed at one point distracted driving. And what we discovered is that part of the distracted driving law is that you could go ahead and people were pulling up to a red light stopped thinking it was okay to check their phone, talk on the phone. That's -- this makes it clear it's not allowed. It also -- this impacts -- DOT requested this and it impacts how much money they will receive as part of putting this in the statute. And --

SENATOR MAYNARD: Thank you, Commissioner.

Confession being good for the soul I have to report that I was the -- I don't know if it's appropriate to say I was a victim. I was -- I had the great occasion of being made familiar with that provision of the law. I did. I was at a stop and one of our -- one of our own Hartford police officers informed me that I was in violation of the law. And the State was enriched by that endeavor. I -- I did not mention to him that I was Chair of the committee. But I feel much better now having shared that with you all.

Any further questions for the Commissioner?

Yes. Senator McLachlan.

SENATOR McLACHLAN: Thank you, Mr. Chairman.

Commissioner, I wonder if we could just go back for a minute to House Bill 6495 and the phasing out the year of manufacture plates. And I just

does have a good understanding of what's going on here.

Next we have John Barrett followed by Marshall Collins.

JOHN BARRETT: Good afternoon, Representative Guerrera and Representative Scribner and other members of the transportation committee. I'm John Barrett, President of the Outdoor Advertising Association of Connecticut and a partner in Barrett Outdoor Communications. I'm here to speak on Bill 975 and in particular sections 12, 13 and 14.

Section 12 calls for a doubling of our permit fees. Now the industry actually is not objected to this. We have unwittingly missed all the permit fee increases that all other permits in the State took several years ago. And so we feel that it is our part to come up with the same funding. So we support section 12.

Section 13 deals with how our permit numbers are displayed on our signs. We are currently working with DOT to find an alternative. Right now we have these little permit numbers that DOT officials want to be able to see from the highway so they know what sign we're looking at.

We are right now providing them with GPS coordinates to be tied into the Department's GAS system so this way any Department personnel with a handheld computer or laptop can identify any sign they're looking at without assistance. So it is my understanding that the Commissioner is going to ask to withdrawal this section. Section 14 deals with the minimum display time on a digital billboard. They want to increase by two seconds.

Now although all research done by both the federal government and our industry indicates that this is unnecessary and will have no impact, the State wants to pursue this anyway. We will not oppose this at this time because it is at least consistent -- the minimal time they want to increase to is consistent with our current practices. So overall we can be in favor of sections 12 and 13 -- 12 and 14 and hopefully see 13 go away. Any questions?

REP. GUERRERA: Thank you for the testimony, John.

Any comments? Representative Scribner.

REP. SCRIBNER: Thank you, Mr. Chairman. Good afternoon. Could you just -- you touched on the -- the permit number.

JOHN BARRETT: Yeah.

REP. SCRIBNER: Have you offered any suggestions in how that could be accomplished --

JOHN BARRETT: Yes.

REP. SCRIBNER: -- to DOT?

JOHN BARRETT: Originally DOT wanted larger numbers and honestly this proposal had been submitted 20 years I would probably agree with that. The permit numbers are small however the DOT is currently in the process of identifying all features along the highways using you know GPS coordinates on a master system so they can identify everything.

Our industry has already done this so virtually every sign in the State already has registered coordinates in place. So as a test right now I have submitted actually all of my companies

permitted locations with their GPS coordinates. And I believe the Department is right now experimenting to insert those into a -- their database.

REP. SCRIBNER: I guess I'm not totally clear on why they would want the numbers to be increased. It would seem to me that you know --

JOHN BARRETT: Right. I understand where you're going.

REP. SCRIBNER: I'm stumbling here but no I really don't quite understand the need I guess for that to be larger and therefore more visible because they obviously have record of --

JOHN BARRETT: That has been our position as well.

REP. SCRIBNER: -- the permit number that they issue.

JOHN BARRETT: Right. I mean unlike vehicles billboards don't move. They are permitted to be in a specific place and you can't pick them around and move them. That is also why we questioned the permit number issue to begin with. So now that there's technology that regardless of whether we feel you need it or not, the DOT can do this without any expense on our side.

REP. SCRIBNER: But it's also your understanding that that section has been withdrawn or --

JOHN BARRETT: That is our understanding that is in the process.

REP. SCRIBNER: Okay. And then I know you were talking about the -- the digital billboards --

JOHN BARRETT: Yes.

REP. SCRIBNER: -- and the desire for the frequency to change. And I know we've had some very extensive discussions and probably a learning lesson about that science in prior sessions. One that I've not totally grasped but it's your understanding that you're already conforming to what is probably considered to be a national standard?

JOHN BARRETT: Well let me backtrack a little bit. Right now the -- our statutes require a minimum exposure time of six seconds. The -- and what the industry found was that was just too short to be effective and we have increased to eight seconds as a general practice. The State is asking to make the statute change to eight seconds as well.

Our concern was simply that the -- although it's useful for us to do as a business practice it is not a safety concern. There has been extensive research done indicating unbelievably that there is no distraction impact from digital signage. In fact I think they found it a difference of .2 seconds of view time caused by it. So there is no benefit to a yield by mandating an increased dwell time.

REP. SCRIBNER: It would seem to me that maybe the message on the board would be inclined to be a little bit more distracting than the frequency of its change but I guess that depends upon what that message is. Thank you.

JOHN BARRETT: You're welcome.

REP. GUERRERA: Thank you, Representative Scribner.

Any other comments? John, thank you for coming here today and testifying and I'm sure we -- we will see clearly what this bill will do in

regards to your industry. You have a very strong advocacy here at the transportation committee. So thank you for being here.

JOHN BARRETT: Thank you.

REP. GUERRERA: Marshall Collins. Good afternoon, Marshall.

MARSHALL COLLINS: Good afternoon. My name is Marshall Collins. I am appearing in my capacity as the council for the Connecticut Messenger Courier Association. CMCA are the independent messenger courier companies located here in Connecticut. They primarily engage in -- in same day delivery, a wide range of freight, everything from financial records, legal documents to transplant organs, pharmaceuticals, et cetera, its machinery, equipment, so forth.

We're here today to support the intent of House Bill 6560 and like the testimony you heard earlier from Motor Transport Association, the bill does need be amended. I have filed written testimony which you should have before you. It includes the language of an amendment that we would request. Last year we were with the -- we appreciated the support we got from this committee and the General Assembly. We worked together with the Motor Transport Association.

As the Department of Labor opposed that bill last year one of their concerns was that it was too broad and that it would allow for the pizza delivery guys to get out of providing unemployment compensation. So the Motor Transport Association has tried to narrow the bill this year with the 10,000 pound weight limit. It makes all the sense in the world but for the fact that the owner operators of

windshields, it's seat belts, it's disc brakes, disc brake pads. Investigations brought Honda Motors in China. We've seen all of these parts. We've actually seen counterfeit Honda cars.

REP. GUERRERA: Sure.

STEVEN OSBORNE: So we need to take a stand and we think this is a great place to do it.

REP. GUERRERA: Well this is a good start that's for sure. Thank you for your testimony.

STEVEN OSBORNE: Thank you folks.

REP. GUERRERA: Thank you.

Colleen Marren. Is that it?

COLLEEN MARREN: Close. Colleen Marren.

REP. GUERRERA: Okay.

COLLEEN MARREN: That's my sister is Maureen.

Mr. Chairman, members of the committee, thank you for this opportunity to provide to you the Connecticut Broadcaster's Association's comments concerning S.B.176. My name is Colleen Marren and I am the news director at WTIC TV also known as Fox Connecticut. The Connecticut Broadcaster's Association's membership comprises all of the FCC licensed radio and television stations in Connecticut.

I'm here specifically to speak to section four of Senate Bill 975 which would authorize the Commissioner of the Dot to establish a procedure for issuing permits for filming on State highway rights of way and State land controlled by the DOT. We understand that this

provision has been proposed in order to streamline the formal process for authorizing the use of such location by film production companies and we certainly support that effort.

But out of -- but out of an abundance of caution however we must point out that the words film and filming in the bill are undefined leaving an unknown scope of interpretation. In a time when use of actual film for any sort of video production is dwindling to the point of disappearance and the term film is often used very loosely we are concerned that the proposed permitting process would someday be interpreted to apply to any sort of video recording or transmission.

As you are aware television other -- and other new operations particularly including the State's broadcast stations extensively engage in digital and tape video production. No matter how expeditious and efficient and -- the envision permitting process may be it would not be able to respond with the speed usually needed for daily news coverage.

To the best of our knowledge television news production on State highways and property has not detailed the kinds of issues that feature film production that can in any event general laws regarding the use of such locations have been completely adequate to correct any problems that might arise in the course of such activities.

Consequently we believe that it's essential that the term film and filming be tight -- be tightly defined or replaced so as to apply solely to the types of projects intended to be addressed by this legislation. Thank you.

REP. SCRIBNER: Thank you, Colleen. I actually have

a -- a very special young lady who is a constituent of mine that shares your name.

COLLEEN MARREN: Excellent name.

REP. SCRIBNER: Yes indeed. Thank you for calling this to our attention. You know I think there's opportunity for us to work with the Department to define -- better define the language that you're -- you brought to our attention and certainly very legitimate concern. We'd like it to be as clear and accurate and present day as possible. Have you expressed your concerns to the Department yourself?

COLLEEN MARREN: I am not sure we have -- to the Department itself. I don't believe so. I don't believe so.

ERIC KINDLER: I am Eric Kindler. I am the General Council of the Broadcast Association and I've had correspondence with George Norff of the film office I haven't talked to anyone in public transportation. George indicated to me this was something that the film office was requesting. And we'd be happy to work with them to come up with a definition if you'd like that.

REP. SCRIBNER: I'm certain that we can resolve this with the Department. So any input that you can provide whether it be in your present written testimony or beyond that we'd be happy to receive and consider.

COLLEEN MARREN: Okay.

REP. SCRIBNER: Any questions from members?

Thank you so much for your patience and for your taking the time to be here and testify.

foundation.

REP. SAWYER: Okay. Thank you very much and I've never wanted to be a monkey on a sidecar. Thank you very much.

REP. SCRIBNER: Any questions from other members?

Thank you, Sandra. Get home safe.

SANDRA CLARK: Have a good weekend.

REP. SCRIBNER: Thanks, you too.

Cameron Champlin. Yes. Good afternoon, Sir.

CAMERON CHAMPLIN: Good afternoon, Representative Sawyer, Representative Scribner, Senator McLachlan, Representative Morin. My name is Cameron Champlin. I represent plumbers and pipefitters Local 777. I'm here to testify today in opposition to section 15 of Bill 975. This section would exempt personnel employed by the Connecticut Airport Authority from the licensing requirements which have been in effect for over 45 years.

I have held an unlimited journeyman's license for both plumbing and heating, piping and cooling for 43 years. I'm also a member of the Heating and Cooling Board. In order to meet the State requirements I served a five year apprenticeship before being allowed to take the examination for these licenses.

There is good reason for the training period considering the knowledge one must have in order to install systems correctly and in a safe manner. Remember these licenses are necessary by statutes to install high pressure steam systems, chemical systems and different types of gases all of which are highly volatile. Any mistakes could result in serious

injury or even death.

It would also allow these individuals to foreign tasks which include sheet metal, elevator, fire protection and electrical without the proper training. All of these are licenses in the State of Connecticut. Also the licensing exams are the minimum standard for obtaining your license. Anyone that has not served an apprenticeship but has acquired comparable training from a source where a license was not required either in this State or any other can take the appropriate exam. It is not a lengthy process to obtain a license if a person has the proper qualifications.

If this bill is passed it will open the door for other quasi-public agencies to ask for the same consideration and I believe there is like eight or nine other quasi-public agencies. For these reasons we respectfully request that you delete section 15 before voting to move this bill forward.

Thank you for the opportunity to testify today on this very important issue. And one other thing I just say don't forget this is a serious safety problem if somebody that's not qualified is out there working.

I wouldn't want somebody in my house without a license or some type of proof that they're qualified. We're talking about thousands of people going through an airport every day and I just believe that we should make sure they are fully qualified to be plumbing of tasks.

REP. GUERRERA: I couldn't agree with you more.

Any comments? Representative Scribner.

REP. SCRIBNER: Thank you, Mr. Chairman.

Just a quick question. You -- the licensed that you referenced, who is that gives the exam and issues the license?

CAMERON CHAMPLIN: DCP controls it but it's a private testing company that does it. I believe it's -- I think PCI is the one that -- the State contracts that out as far as the tests go. I think it's PCI now if I remember right.

REP. SCRIBNER: Thank you.

REP. GUERRERA: Any other comments?

Thank you for your testimony.

CAMERON CHAMPLIN: Thank you.

REP. GUERRERA: Sean Strollo.

Is there anyone else that did not sign up that would like to testify?

Seeing none, you will be the last one.

SEAN STROLLEY: Last but not least.

REP. GUERRERA: That's it.

SEAN STROLLO: I apologize for my appearance. I left from an accident scene to come here.

REP. GUERRERA: You don't have to apologize, Sir. We know that you're working.

SEAN STROLLO: Okay. My name is Sean Strollo and I am the owner of Strollo Brothers and Sons, Incorporated, dba Strollo's Towing Service. We're located at 530 West Main Street in Cheshire, Connecticut. And Strollo's been a

HB6558



**STATE OF CONNECTICUT
DEPARTMENT OF MOTOR VEHICLES**

60 State Street, Wethersfield, CT 06161

<http://ct.gov/dmv>



***Testimony of Department of Motor Vehicles
Commissioner Melody A. Currey
Transportation Committee Public Hearing
March 8, 2013***

**SB 975 – AN ACT CONCERNING REVISIONS TO THE TRANSPORTATION
STATUTES**

Good morning Senator Maynard, Representative Guerrero, Senator Boucher, Representative Scribner and other members of the Transportation Committee.

I am pleased to be here today to testify in support of sections 11 and 23 of SB 975, AN ACT CONCERNING REVISIONS TO THE TRANSPORTATION STATUTES.

First, the language in section 23 would amend CGS section 14-36(e) to require the Department of Motor Vehicles (DMV) to explicitly include a question regarding distracted driving and the use of mobile phones or electronic devices on the Department's written knowledge test. DMV already offers such questions on its written knowledge exams, however, the National Highway Traffic Safety Administration (NHTSA) has requested this specific change to the statutes, in conjunction with other changes, in order for Connecticut to be eligible for certain federal funds based upon the federal law (MAP-21)

Also, Section 11 of the bill would amend CGS 14-296aa by clarifying the definition of "operating a motor vehicle" to include being temporarily stopped at a traffic signal, or for road conditions or traffic. It would not include being safely parked on the side or shoulder of a highway. Section 11 would also clarify the exemption for ham radio operator use that the device be used in emergency situations for emergency purposes only. NHTSA has also recommended these proposed changes for the state to be eligible to qualify for federal funds.

Thank you for the opportunity to testify in support of one of the Department's legislative initiatives. I would be happy to try to answer any questions.

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oaac

OUTDOOR ADVERTISING ASSOCIATION OF CONNECTICUT, INC.

Written Testimony of
John E. Barrett, Legislative Chairman
Outdoor Advertising Association of Connecticut, Inc.

**Raised Bill No. 975, AN ACT CONCERNING REVISIONS TO THE
TRANSPORTATION STATUTES**

Friday, March 8, 2013
General Assembly's Transportation Committee

Good afternoon Senator Maynard, Representative Guerrero, Senator Boucher, Representative Scribner and members of the Transportation Committee, my name is John Barrett and I am testifying on behalf of the Outdoor Advertising Association of Connecticut, Inc. (OAAC). I am also a partner in Barrett Outdoor Communications, Inc. of West Haven. I am here today to testify on Senate Bill 975, "An Act Concerning Revisions to the Transportation Statute."

Recently the Outdoor Advertising Association had a very positive and frank meeting with Commissioner Redeker and his team at the Department of Transportation regarding section 12, 13 and 14 of this proposal. In addition, the industry discussed the ongoing negative impact of Governor Rell's Executive Order No. 18.

Specifically, as it relates to Senate Bill 975, section 12 calls for a doubling of all application, permit and transfer fees related to outdoor advertising. The industry does recognize that the state is in severe fiscal crisis and that we have unwittingly avoided the increases when all other permit fees were increased just a few years ago. Therefore we would not object to this section.

Section 13 calls for a change in how permit numbers are displayed on billboards. We feel that this provision is unnecessary and would impact the industry with a significant revenue loss to outfit all outdoor advertising structures in the state with new permit numbers. However, the industry is working with the commissioner to create a database of GPS co-ordinates for all permitted signs that integrates with the DOT's GIS system, thus negating the need for this section of the statutes. It is my understanding that the commissioner will be seeking to withdraw this section from bill, the industry would support that amendment.

Finally, section 14 calls for a two second increase in the minimal time a digital billboard can display a given image. Although extensive research performed by several different researchers makes it clear that an increase in static display time lacks both need and impact, the outdoor advertising association will not oppose this change because it conforms to current industry practice.

At this time I would be happy to respond to any questions you may have.

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STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION

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**Public Hearing – March 8, 2013
Transportation Committee**

**Testimony Submitted by Commissioner Jim Redeker
Department of Transportation**

Raised S.B. 975 - An Act Concerning Revisions to the Transportation Statutes.

The Department of Transportation (ConnDOT) would like to thank the Transportation Committee for raising S.B. 975, AAC Revisions to the Transportation Statutes. The bill represents the Department's ongoing efforts to streamline and create efficiencies within the Department that ultimately facilitate the implementation and management of the State's multimodal transportation program.

Of particular note, sections 11 and 23 of the bill contain minor revisions which together, make Connecticut eligible to access **new federal distracted driving prevention funds** which will allow ConnDOT to continue efforts to address distracted driving and mobile phone use by drivers. The National Highway Traffic Safety Administration (NHTSA) has federal funding for the prevention of distracted driving and motorist mobile phone use through enforcement and education. The program was created under Section 405E of the new Federal transportation law known as MAP-21. Federal 405(e) funds are similar to funding sources distributed through ConnDOT's Highway Safety Office such as the successful "Click it or Ticket" and "Drive Sober or Get Pulled Over" programs.

At least 50% of any grant funds awarded must be used to educate the public about the dangers of texting or using a cell phone while driving, for traffic signs that notify drivers about the distracted driving law of the State, or for law enforcement costs related to the enforcement of the distracted driving law. No more than 50 % of the grant funds awarded may be used for any eligible project or activity under 23 U.S.C. 40. (Note: Eligible activities under 23 U.S.C. 402 include Impaired Driving, Occupant Protection, Child Passenger Safety, Speed Enforcement and Motorcycle Safety).

Approximately \$17 million is available for the program for FFY 2013 The total national program for FFY 2013 is \$17,525,000 and it is estimated that Connecticut could receive about \$350,000- \$500,000 annually if the eligibility requirements are met.

To receive the funds, states must have certain state legislation in place. Currently, Connecticut is not compliant with the following legislative requirements:

- **Driver Licensing:** Connecticut legislation does not mandate that questions pertaining to distracted driving and motorist mobile phone use be required on driver licensing exams, (although it is currently being done in practice, this does not qualify).
- **In Motion:** Connecticut legislation pertaining to hand-held phone violation requires the vehicle to be in motion for a motorist to be in violation of state statute. 405E requirements state that

laws pertaining to mobile phone use restriction apply even when the vehicle is at rest (ex. stopped at a traffic light).

- **HAM radio exception:** 405E requirements include exceptions for emergency services and military personnel during emergency situations but no others. Connecticut currently has an exception to its hand-held phone ban for HAM radio operators.

Representatives from ConnDOT, the NHTSA Regional Office, Department of Motor Vehicles, Department of Emergency Services and Public Protection and the Office of the Chief State's Attorney met last month to draft legislation the address the aforementioned requirements. The language agreed-upon is contained in sections 11 and 23 of S.B. 975 and would make Connecticut eligible for the new federal distracted driving funds.

Below is a section by section summary of the other provisions in S.B. 975:

Section 1. Excess DOT Property Disposition

The Department proposes changes to CGS 13a-80 regarding disposition of excess state property to further agency efficiency. The purpose of the changes is to: 1) clarify the statutory requirement for a public bid for properties that conform to zoning; 2) provide cost saving measures once statutory requirements are met; and 3) increase the threshold for requiring two appraisals for the release of state property.

Current language states "...the department shall obtain a second appraisal if such property is valued over one hundred thousand dollars and is not to be sold through public bid or auction." This would imply that the Department has the means to sell properties without holding a public bid. It is in the best interest of the state and the general public to have all properties that conform to zoning announced for public bid. ConnDOT's current policy reflects this notion and the modified language would ensure transparent transactions via public bids.

CGS 13a-80, as currently written, does not provide a mechanism for the commissioner to continue to market properties for sale when a public bid elicits no bids, other than to have another public bid. Increasing advertising costs, as well as indirect costs such as personnel resources, make selling state property solely through a public bid inefficient. One public bid would be required, as stipulated above. If no bids are received, then the commissioner may continue to market the property for sale and release the property without further public notice. This would save in advertising costs, allow the Department flexibility in developing a sale, and expedite a potential sale by interested buyers after the public bid has occurred.

CGS13a-80 also requires that a second appraisal be obtained for properties over \$100,000 and are not sold by public bid. This would occur for sole abutter sales and for sales to former residential property owners upon which a single-family dwelling was situated at the time it was obtained by the Department for highway purposes if the sale occurs within 25 years of the properties acquisition (13a-80(c)). Presumably, requiring two appraisals for properties valued above a \$100,000 was to ensure "valuable" properties were appraised appropriately. The \$100,000 threshold was established in 1986 with the addition of subsection (b) to the statute. Since the threshold has not been adjusted in 25 years, the Department is proposing and increase to \$250,000. This figure mirrors ConnDOT's threshold for obtaining two appraisals when acquiring property for transportation projects. The increase to \$250,000

will reduce contracting costs to the Department's contracted appraiser and reduce delays in releasing state property.

Section 2. Agreements with the State of Vermont

Currently, CGS 13b-79u allows the Commissioner to enter into agreements with the commonwealth of Massachusetts or any entity on its behalf to facilitate operation and development of the New Haven-Hartford-Springfield rail line. The Department is proposing that the State of Vermont be added to this section of statute as they will be involved in the agreements that are entered into regarding or relating to cost allocation pursuant to the federal Passenger Rail Reinvestment Act (PRIIA).

Section 3. Administrative Delegation of Authority

This section allows the Commissioner to delegate authority for certification of public records to Bureau Heads within ConnDOT and the authority to sign agreements, contracts and other legal and binding documents to appropriate agency staff.

Historically, ConnDOT has had several Deputy Commissioners appointed with oversight responsibility of major departmental bureaus. As such, delegation of authorities to those appointed Deputies was sufficient. Currently, the agency has one appointed Deputy Commissioner. ConnDOT's three operating bureaus and two administrative bureaus are administered by state employee managers as "bureau heads." This proposal would allow more flexibility and efficiency in carrying out the various administrative functions and responsibilities of the Department of Transportation.

Section 4. Establishment of a Film Permit System

This section would allow ConnDOT to implement a simple permitting system to expeditiously and efficiently grant permission to film companies that seek to film on ConnDOT property or state highway right-of-way.

The State established a program pursuant to CGS 12-217jj, which seeks to encourage the production of digital media and motion pictures in the State of Connecticut in order to enhance the quality of life and economic vitality of Connecticut by supporting the film and media industry and related job creation in the State of Connecticut. In order to expeditiously and efficiently grant permission to film companies that seek to film on ConnDOT property or state highway right-of-way, the ConnDOT seeks to implement a permitting system for filming, rather than rely on existing statutes that historically are used to convey an interest in real property, requiring additional approvals, from entities such as the State Properties Review Board (SPRB).

Filming companies require flexible scheduling and prompt approval of their requests, which is not often possible with the current agreement process and review (e.g., SPRB) process. A permitting system, as opposed to a traditional agreement process, will be more efficient and attract the film industry to the state and improve the Department's ability to deliver services considerably. State resources will be saved as agreement preparation and processing will be eliminated.

All protections to the State will be built into the permit, with insurance requirements being set on a case-by-case basis, by ConnDOT in consultation with the State's Director of Insurance and Risk Management (DAS-Insurance and Risk Management Board), based upon the complexity of the filming request.

The Department has recently learned that the Department of Administrative Services (DAS) also receives requests to film on their property and would like to be added to this provision to cover filming on land controlled by DAS. The Department would like to work with the Committee on language that includes a provision to assist DAS.

Section 5. Public Utility Easements for ConnDOT Facilities

This section would allow the Department to grant easements to public service companies in connection with bringing utility service to a ConnDOT facility, similar to the authority in CGS 4b-22a for the Department of Construction Services (formerly the Department of Public Works) to grant easements to public service companies.

When the Department renovates existing or constructs new facilities to support its operations, including, but not limited to, its highway maintenance operations, in many instances the most efficient and economical means of providing utility service to the facility is to connect to a public utility. While installations in the State highway right-of-way are addressed in CGS 13a-126, installations in or on ConnDOT property are not.

In some instances of bringing new utility service to ConnDOT property, the public utility company has to install facilities such as pipes, valves, meters, regulators, compressors, fixtures, metering devices and any other apparatus and appurtenances needed to provide utility service, in or on State property, and in instances when substantial installation is required, will not do so without obtaining a permanent property right for its facilities to be placed on and remain on State property. The Department is seeking the equivalent authority that the Department of Construction Services has, pursuant to CGS 4b-22a, to grant easements.

Section 6. Overhead Clearance for Fairfield Metro Rail Station Bridge

Section 6 of the bill allows for an access road with a 4 lane vehicular bridge over Metro-North Railroad (MNR) that provides an overhead clearance that is less than the required minimum 22'6" by four inches. The new bridge, owned by the town of Fairfield, is 1300 feet west of Black Rock Turnpike and provides an overhead clearance of 22'2". (Note: CGS 13b-251 (2) requires overhead clearance for any structure crossing any railroad tracks on which trains are operated that are attached to or powered by means of overhead electrical wires to be 22'- 6").

As part of the development of the new Fairfield Metro Railroad station, a new access road, with a four lane vehicle bridge over MNR, 1300 feet west of Black Rock Turnpike was necessary. The design of this bridge was constrained by a number of factors that included: a jacked drainage system under the tracks east of the bridge; geometry of the access road to the station parking and limited distances to overhead Metro-North feeder wires.

Please note that the Fairfield Metro rail station is open and operational and the bridge is constructed.

Section 7. Marine Pilot Self- Certification

This provision allows licensed Connecticut marine pilots to self-certify their vessels in lieu of a state regulated program. This proposal has been vetted through the Connecticut Pilot Commission.

Currently, CGS 15-15e requires pilot boat operators to obtain a certificate of compliance from ConnDOT in accordance with regulations adopted by the Department. To date, the regulations have not been promulgated and the Department does not have staff to inspect/certify vessels of any type. To assure

compliance and create efficiencies, ConnDOT proposes pilot boat operators simply produce a certificate of insurance obtained through the current process of obtaining insurance policies. At present, pilot boat operators are required to obtain surveys conducted by qualified marine surveyors as part of their respective insurance policies. Inspections by qualified marine surveyors will insure that boats being operated are safe and seaworthy. Self-certification of the pilot boats will provide the desired level of safety and protection of the marine pilots without overburdening the pilot boat operators with unnecessary governmental regulations and processes.

Sections 8 and 9. Restricted Use of Dedicated Roadways for Bus Rapid Transit

These sections make minor changes to facilitate the safe operation and implementation of bus rapid transit on dedicated roadways. The Department proposes to (1) amend the definition of "highway" to explicitly include roadways dedicated for bus rapid transit (BRT); and (2) restrict access to such roadways.

The revision to the definition of "highway" is necessary so ConnDOT can appropriately restrict use of the dedicated roadway for BRT, known as CTfastrak in order to provide public transit services in the region. This dedicated roadway will not be open to travel by the public by vehicle, by bicycle or on foot, and the Commissioner of Transportation must have the authority to restrict and permit persons as needed on the BRT roadway.

Access to roadways dedicated to bus rapid transit must be restricted to the vehicles used in providing the public transit service operated by the Department and its authorized transit operators, ConnDOT maintenance vehicles and its authorized maintenance contractors, authorized emergency vehicles, and others specifically authorized in writing by the Commissioner of Transportation.

CTfastrak is part of the State highway system and assigned a State highway system number. This proposal makes it clear within the statutes that address use of the highways by motor vehicles that the CTfastrak BRT roadway, and any other BRT roadway that Connecticut may construct in the future, are included within the definition of "highway".

Section 10. Safety Belts

This section requires all occupants in a motor vehicle to wear a safety belt. Current statute only requires the driver and front seat passengers to be restrained.

As reported by National Highway Transportation Safety Administration (NHTSA) Report Number DOT HS 808 945 – "In all crashes, back- seat lap/shoulder belts are 44% effective in reducing fatalities when compared to unrestrained back seat occupants".

Safety belts save lives not only for front seat passengers but for back seat passengers too.

Sections 12-14. Outdoor Advertising

ConnDOT and the Administration have met with Outdoor Advertising representatives on the provisions in sections 12-14 of the bill, as well as issues surrounding implementation of former Governor Rell's Executive Order #18 banning outdoor advertising structures on state property.

We have agreed to continue discussions on Section 12 of the bill which increase permit fees and require a fee for the transfer of permits between parties proposed to cover the Department's costs for administering the program.

We have agreed to move forward with Section 14 of the bill which increases the time for a static display to eight seconds (from six seconds) for electronic or mechanical signs - consistent with a recent suggestion by the Federal Highway Administration (FHWA).

After discussion with the industry, ConnDOT would like to withdraw the provision in Section 13 which would have required permit numbers on structures be no less than twelve inches in height. The industry and the Department will be working on a GPS-oriented system that will assist ConnDOT in the administration of the outdoor advertising program.

Sections 15 and 16. Connecticut Airport Authority (CAA) Revisions

The CAA has proposed legislation would provide the new authority with the same exemption from certain occupational licensing requirements currently in place for state agencies. Section 20-340 as currently written provides a long list of persons exempt from licensing, registration, and other requirements imposed upon electricians, plumbers, solar installers, heating installers, piping and cooling contractors and journeymen, elevator and fire protection sprinkler craftsmen, irrigation contractors and journeymen, and gas hearth installer contractors and journeymen. This issue came to our attention because ConnDOT employees currently perform work at the airports and since they are state employees they do not need to be licensed to perform such work. When these same employees are transferred into the employ of the CAA, they will no longer be "state employees" and would most likely require licensure to perform the work they have been doing for years. The proposed amendment maintains the status quo by simply adding employees of the CAA to the list of exempt persons.

The Authority is also proposing legislation which would give the CAA the same flexibility to control construction at the airports as currently held by the ConnDOT. Because the airports are currently under state control, local municipal building code and fire code inspection and permitting do not apply to construction at the airports. The relevant statutes give ConnDOT the authority to perform its own inspections by its own State licensed inspector. The Department then certifies such compliance in its application to the State Building Inspector, and the Inspector is authorized to act on the Department's certification. The proposal includes the CAA in the group of state entities empowered to certify their own compliance with these codes and regulations by using its own State licensed building inspector. The CAA expects to utilize the ConnDOT inspector until it employs its own inspector.

Sections 17 – 20. Master Transportation Plan Repeal

These sections repeal the requirement for the Department to publish and submit a Master Transportation Plan (MTP) to the Governor by January 31 in every odd-numbered year. The Department proposes this change to eliminate a duplication of efforts.

The MTP is required by state statute, prepared by ConnDOT every 2 years and dates back to 1969 legislation. It was originally intended as a comprehensive planning document with a 10-year planning horizon; its role has been largely duplicated or replaced by the other three documents. Most notably, in 1991, the federal government enacted legislation requiring every state to prepare a Long-Range Transportation Plan with a 20-year planning horizon. This federally mandated plan now largely replaces the long-range comprehensive planning function of the MTP. The Five-Year Capital Plan, which was first published in 2010, now provides detailed project-specific costs and schedule information that the MTP used to provide.

Federal laws and regulations also require state transportation agencies to prepare and update every two years, a Statewide Transportation Improvement Program (STIP) as a condition for obtaining federal authorization to spend federal transportation funds on projects. The STIP is a four-year financial document which lists all projects in the state that are expected to be funded in those four years with federal funds. It also lists all regionally significant projects, regardless of funding source, which will be undertaken within the state that could affect air quality. It is the means by which the goals and objectives identified in the state and regional long-range transportation plans are implemented. In light of the economic uncertainties at the state and federal levels, it is not feasible to indicate project priorities by need and fiscal capability beyond a four-year period.

It is proposed that that CGS 13b-15, which requires the Department to develop a master transportation plan, be eliminated because the information presented in this plan is included in either the federally mandated, statewide long-range transportation plan or could be included in the Department's annual Capital Plan. The Capital Plan could be expanded to include project data for all the modes of transportation for which the Department is responsible.

Section 24. Duplicative Land Disposition Processes

ConnDOT proposes to rescind Section 13a-85c, which governs the disposition of land acquired for the Route 6 Expressway by the Department, as its language is redundant to Section 13a-80, which governs the disposition of all other excess property by ConnDOT, and includes additional language that makes the disposition of the property more restrictive.

The distinction in the language of the statutes occurs with two additional requirements under 13a-85c.

The first distinction is the establishment of a sales price based on the average of two appraisals. Section 13a-80 requires only that the Department obtain an appraisal for all releases of DOT land. The subsequent sales price (in many instances negotiated) and transaction is approved by the Office of Policy and Management, the State Properties Review Board, and the Office of the Attorney General. Section 13a-85c establishes a sales price by averaging two appraisals, thereby removing any room for negotiations for a transaction. This restrictive language could prevent ConnDOT from generating additional revenue and preclude developers from an opportunity to spur future economic growth.

The second distinction is a requirement to obtain approval from the Federal Highway Administration (FHWA) prior to disposition. This is no longer necessary as FHWA has asked for a return of all federal expenditures associated with the Route 6 Expressway project. The Department returned more than \$11 Million last year so the FHWA no longer has an interest in the future use of the land acquired for the Expressway.

Further background: Section 13a-85c was established as a result of the passing of Special Act 07-11, Section 31 which attempted to make a distinction in how to dispose of excess DOT properties that were acquired for the Route 6 Expressway from all other excess properties of the Department, which are sold via Section 13a-80. At the time of inception, the statute mirrored Section 13a-80 with the exception that the Department was (1) required to hold a public hearing, (2) obtain approval from FHWA, and (3) establish a sales price of the average of two appraisals. Approval from FHWA was required since federal money was used to purchase the Expressway corridor.

The approval of Special Act 08-8 Section 2 removed the public hearing requirement. However, the language was not modified in Section 13a-85c of the statutes.

The requirement for the approval from FHWA is now a moot point as the Department has reimbursed the FHWA for all federal expenditures associated with the Route 6 Expressway. Therefore, FHWA has no interest in the future use of the land.

Section 13a-85c declares the sales price to be average of two appraisals. This language is more restrictive than 13a-80 and is contrary to Department policy of releasing land via a public bid. Having a pre-determined sales price raises questions as to how to fairly release a property when more than one person is interested in the purchase. The language also precludes ConnDOT from ever entertaining bids that would be above the appraised value.

The removal of the FHWA approval requirement and the elimination of the restrictive appraisal language will leave you with exact language of Section 13a-80. Therefore, it is recommended that Section 13a-85c be repealed in its entirety.

For further information or questions, please contact Pam Sucato, Legislative Program Manager for the Department of Transportation at (860) 594-3013 or pamela.sucato@ct.gov.

**TRANSPORTATION COMMITTEE PUBLIC HEARING
MARCH 8, 2013**

SENATOR MAYNARD, REPRESENTATIVE GUERRERA AND MEMBERS OF THE COMMITTEE, MY NAME IS CAMERON CHAMPLIN AND I REPRESENT PLUMBERS AND PIPE FITTERS LOCAL UNION 777. THIS TESTIMONY IS IN OPPOSITION TO SECTION 15 OF S.B. 975.

THIS SECTION WOULD EXEMPT PERSONNEL EMPLOYED BY THE CONNECTICUT AIRPORT AUTHORITY FROM THE LICENSING REQUIREMENTS WHICH HAVE BEEN IN EFFECT FOR OVER 45 YEARS. I HAVE HELD AN UNLIMITED JOURNEYMAN'S LICENSE FOR BOTH PLUMBING and HEATING PIPING AND COOLING FOR 43 YEARS. IN ORDER TO MEET THE STATE REQUIREMENTS I SERVED A FIVE YEAR APPRENTICESHIP BEFORE BEING ALLOWED TO TAKE THE EXAMINATION FOR THESE LICENSES. THERE IS GOOD REASON FOR THE TRAINING PERIOD CONSIDERING THE KNOWLEDGE ONE MUST HAVE IN ORDER TO INSTALL SYSTEMS CORRECTLY AND IN A SAFE MANNER. REMEMBER THESE LICENSES ARE NECESSARY, BY STATUES, TO INSTALL HIGH PRESSURE STEAM SYSTEMS, CHEMICAL SYSTEMS AND DIFFERENT TYPES OF GASES, ALL OF WHICH ARE HIGHLY VOLATILE. ANY MISTAKES COULD RESULT IN SERIOUS INJURY OR EVEN DEATH. IT WOULD ALSO ALLOW THESE INDIVIDUALS TO PERFORM TASKS WHICH INCLUDE SHEET METAL, ELEVATOR, FIRE PROTECTION AND ELECTRICAL WITHOUT THE PROPER TRAINING.

ALSO THE LICENSING EXAMS ARE THE MINIMUM STANDARD FOR OBTAINING A LICENSE. ANYONE THAT HAS NOT SERVED AN APPRENTICESHIP BUT HAS ACQUIRED COMPARABLE TRAINING FROM A SOURCE WHERE A LICENSE WAS NOT REQUIRED, EITHER IN THIS STATE OR ANY OTHER, CAN TAKE THE APPROPRIATE EXAM. IT IS NOT A LENGTHY PROCESS TO OBTAIN A LICENSE IF A PERSON HAS THE PROPER QUALIFICATIONS. IF THIS BILL IS PASSED IT WILL OPEN THE DOOR FOR OTHER QUASI-PUBLIC AGENCIES TO ASK FOR THE SAME CONSIDERATION.

FOR THESE REASONS WE RESPECTFULLY REQUEST THAT YOU DELETE SECTION 15 BEFORE VOTING TO MOVE THIS BILL FORWARD. THANK YOU FOR THE OPPORTUNITY TO TESTIFY TODAY ON THIS VERY IMPORTANT ISSUE. IF ANY MORE INFORMATION IS REQUIRED PLEASE CONTACT ME AT EMAIL OR CELL (860) 287-0020.



LOCAL 90

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

SEAN W. DALY
REPRESENTATIVE2 NORTH PLAINS INDUSTRIAL ROAD WALLINGFORD, CT 06492
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**Testimony of the International Brotherhood of Electrical Workers
For submittal to the Transportation Committee**

SB Bill 975 An Act Concerning Revisions to the Transportation Statutes

March 8, 2013

To Senator Maynard, Representative Guerrero, and members of the Transportation committee, the IBEW appreciates the opportunity to submit testimony regarding SB 975 An Act Concerning Revisions to the Transportation Statutes. Our comments are specifically directed at section 15 of this bill, which would create an exemption in the Department of Consumer Protection occupational licensing statutes for employees of the Connecticut Airport Authority.

The IBEW represents over six thousand licensed electrical journeymen, journeywomen and apprentices statewide, and we pride ourselves on our continuous effort to ensure our workforce is educated and maintains a safe work environment. We feel licenses are important safety measures as they ensure a person has the appropriate training and experience specific to their trade which helps to reduce accidents on the jobsite. It is our opinion that the system breaks down as we create more and more licensure exemptions, and this has a significant impact on safety. For this reason, we are generally wary of adding to the already lengthy list of exemptions from licensure. However, it is our understanding that this exemption is being sought to allow employees of the Connecticut Airport Authority who were exempt from licensure when they were employees of the Department of Transportation under the longstanding exemption for state and municipal employees, to maintain that exemption under the newly created authority. Given this, we would feel more comfortable if the requested exemption could be written in as part of the exemption for federal, state, and municipal employees as in Section 20-340 (1) of the Connecticut General Statutes, rather than creating an entirely new exemption.

Thank you for your time and attention to this matter.

Sincerely,

Sean Daly
International Brotherhood of Electrical Workers, Local 90

IBEW

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March 8, 2013

Testimony of
COLEEN MARREN, NEWS DIRECTOR, WTIC-TV, FOXCT
 Connecticut Broadcasters Association

Before the
 Transportation Committee
 concerning

SENATE BILL 975, AN ACT CONCERNING REVISIONS TO THE TRANSPORTATION STATUTES

Co-Chair Maynard, Co-Chair Guerrero, members of the Committee, thank you for the opportunity to provide you the Connecticut Broadcasters Association's comments in concerning S.B. 176. My name is Coleen Marren and I am News Director of WTIC-TV, FoxCT. The Connecticut Broadcasters Association (CBA) membership comprises all of the FCC-licensed broadcast radio and television stations in Connecticut.

I am here to speak specifically to Section 4 of Senate Bill 975, which would authorize the Commissioner of the DOT to establish a procedure for issuing permits for "filming" on state highway rights of way and state land controlled by the DOT. We understand that this provision has been proposed in order to streamline the formal process for authorizing the use of such locations by film production companies and we certainly support that effort.

Out of an abundance of caution, however, we must point out that the words "film" and "filming" in the bill are undefined, leaving an unknown scope for their interpretation. In a time when use of actual film for any sort of video production is dwindling to the point of disappearance and the term "film" is often used very loosely, we are concerned that the proposed permitting process could someday be interpreted to apply to any sort of video recording or transmission. As you are aware, television and other news operations, particularly including the state's broadcast stations, extensively engage in digital and taped video production (and many, if not a majority of, 'film' productions are produced digitally, with no literal film involved). No matter how expeditious and efficient the envisioned permitting process may be, it would not be able to respond with the speed usually needed for news coverage. To the best of our knowledge, television news production on state highways and property has not entailed the kinds of issues that feature film production can and in any event, general laws regulating the use of such locations has been completely adequate to correct any problems that might arise in the course of such activities. Consequently, we believe that it is essential that the terms "film" and "filming" be tightly defined (or replaced) so as to apply solely to the types of projects intended to be addressed by this legislation.

Thank you for considering our comments.

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